

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK**

In re:
KENNETH C. RICE, f/d/b/a President of
Oxford East Landscape and Design, Inc.

Case no: 17-20706-PRW
Chapter 7 -- Liquidation

Debtor

SSN/Tax ID: XXX-XX-4455

**NOTICE OF TRUSTEE'S FINAL REPORT AND ACCOUNT,
APPLICATIONS FOR COMPENSATION AND EXPENSES, AND ALLOWANCE
OF ADMINISTRATIVE EXPENSES PAID BY THE TRUSTEE (if applicable)
AND TRUSTEE'S REQUEST FOR SUBSTANTIVE CONSOLIDATION (if applicable)**

The United States Trustee Form 101-7-NFR: The Notice of Trustee's Final Report and Applications for compensation is attached.

(If box is checked): The debtor has been discharged.

(If box is checked): You can be affected by a substantive consolidation. When estates are consolidated, the assets of the debtor and the assets of the joint debtor are treated as one pool of assets, to be shared in by all creditors even if a creditor is owed money by only one of the debtors. Therefore, you may be affected positively or negatively. An overall advantage of consolidation is that it avoids disputes over the actual ownership of marital assets; the costs of such disputes could reduce the amounts available to all creditors.

A party in interest wishing to object to the Trustee's Final Report, any fee application, the allowance of administrative expenses (if applicable), must file written opposition with the Clerk, U.S. Bankruptcy Court, by June 28, 2018. A copy of the objection must be served upon the Trustee, the party whose application is being challenged and the United States Trustee. If a timely objection is filed, a hearing will take place before the Honorable Paul R. Warren, United States Bankruptcy Judge, at the **U.S. Courthouse, 100 State Street, Rochester, New York** on July 12, 2018 at 10:00 am AM x PM. If no objections are filed upon entry of the an order, the Trustee may pay dividends pursuant to FRBP 3009 without further order of the Court. You are further advised that whether or not opposition to an applicant is entered, the Court will assess the application and will allow only such amounts as it deems reasonable. The Trustee's Final Report and all applications for compensation are on filed with the Clerk's Office and may be viewed during regular business hours.

DATED: June 4, 2018

Lisa Bertino-Beaser
Clerk of Court

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK
Rochester Division DIVISION

In re:

| | | |
|--|---|-------------------|
| RICE, KENNETH C. | § | Case No. 17-20706 |
| dba President of Oxford East Landscape | § | Chapter 7 |
| and Design, Inc | § | |
| Debtor(s) | § | |

NOTICE OF TRUSTEE'S FINAL REPORT AND
APPLICATIONS FOR COMPENSATION
AND DEADLINE TO OBJECT (NFR)

Pursuant to Fed. R. Bankr. P. 2002(a)(6) and 2002(f)(8), please take notice that Douglas J. Lustig, trustee of the above styled estate, has filed a Final Report and the trustee and the trustee's professionals have filed final fee applications, which are summarized in the attached Summary of Trustee's Final Report and Applications for Compensation.

The complete Final Report and all applications for compensation are available for inspection at the Office of the Clerk, at the following address:

Clerk, U.S. Bankruptcy Court
U.S. Courthouse
100 State Street
Rochester, NY 14614

Date Mailed: _____ By: /s/ Douglas J. Lustig _____
Trustee

Douglas J. Lustig
55 Canterbury Road, #1
Rochester, NY 14607
(585) 232-3730

UST Form 101-7-NFR (10/1/2010)

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK
Rochester Division DIVISION**

In re:
 RICE, KENNETH C. § Case No. 17-20706
 fdba President of Oxford East Landscape § Chapter 7
 and Design, Inc §
 §

**SUMMARY OF TRUSTEE'S FINAL REPORT
AND APPLICATIONS FOR COMPENSATION**

The Final Report shows receipts of: \$ 14,000.00
and approved disbursements of: \$ 150.88
leaving a balance on hand of¹: \$ 13,849.12

Claims of secured creditors will be paid as follows:

| Claim No. | Claimant | Claim Asserted | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|---------------------|----------------|-------------------------|--------------------------|------------------|
| 4 | Sheffield Financial | 3,902.84 | 0.00 | 0.00 | 0.00 |

Total to be paid to secured creditors: \$ 0.00
 Remaining balance: \$ 13,849.12

Applications for chapter 7 fees and administrative expenses have been filed as follows:

| Reason/Applicant | Total Requested | Interim Payments to Date | Proposed Payment |
|--|-----------------|--------------------------|------------------|
| Trustee, Fees - Douglas J. Lustig | 2,150.00 | 0.00 | 2,150.00 |
| Trustee, Expenses - Douglas J. Lustig | 21.39 | 0.00 | 21.39 |
| Attorney for Trustee Fees - DOUGLAS J. LUSTIG | 1,403.00 | 0.00 | 1,403.00 |
| Attorney for Trustee, Expenses - Douglas J. Lustig | 6.01 | 0.00 | 6.01 |

Total to be paid for chapter 7 administrative expenses: \$ 3,580.40
 Remaining balance: \$ 10,268.72

¹The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

Applications for prior chapter fees and administrative expenses have been filed as follows:

| Reason/Applicant | Total Requested | Interim Payments to Date | Proposed Payment |
|------------------|-----------------|--------------------------|------------------|
| None | | | |

Total to be paid for prior chapter administrative expenses: \$ 0.00
 Remaining balance: \$ 10,268.72

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

| Claim No. | Claimant | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|----------|-------------------------|--------------------------|------------------|
| | None | | | |

Total to be paid for priority claims: \$ 0.00
 Remaining balance: \$ 10,268.72

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$115,309.82 have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 8.9 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

| Claim No. | Claimant | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|--|-------------------------|--------------------------|------------------|
| 1 | Discover Bank Discover Products Inc | 8,550.65 | 0.00 | 761.46 |
| 2 | Deere Credit, Inc. dba Johh Deere Financial | 2,767.25 | 0.00 | 246.43 |
| 3 | First National Bank of Omaha | 1,739.38 | 0.00 | 154.90 |
| 5 | Bank of America, N.A. Attn: Domenic DiPadua | 94,948.52 | 0.00 | 8,455.48 |
| 6 | Northern Nurseries, Inc. c/o Melvin & Melvin, PLLC Attn: Collections | 1,383.99 | 0.00 | 123.25 |

| Claim No. | Claimant | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|--|-------------------------|--------------------------|------------------|
| 7 | Advanta Bank Corporation Resurgent Capital Services | 1,405.77 | 0.00 | 125.19 |
| 8 | T Mobile/T-Mobile USA Inc by American InfoSource LP as agent | 4,514.26 | 0.00 | 402.01 |

Total to be paid for timely general unsecured claims: \$ 10,268.72
 Remaining balance: \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

| Claim No. | Claimant | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|----------|-------------------------|--------------------------|------------------|
| None | | | | |

Total to be paid for tardily filed general unsecured claims: \$ 0.00
 Remaining balance: \$ 0.00

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

| Claim No. | Claimant | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|----------|-------------------------|--------------------------|------------------|
| None | | | | |

Total to be paid for subordinated claims: \$ 0.00
 Remaining balance: \$ 0.00

Prepared By: /s/ Douglas J. Lustig

Trustee

Douglas J. Lustig
55 Canterbury Road, #1
Rochester, NY 14607
(585) 232-3730

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

UST Form 101-7-NFR (10/1/2010)